
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

WRH BAYVIEW, LLC, a Delaware limited liability company; and WRH ASSOCIATES, LLC, a Delaware limited liability company,

Plaintiff,

vs.

NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY, a Utah interlocal entity; TRANS-JORDAN CITIES, a Utah interlocal entity; NORTH POINTE SOLID WASTE SPECIAL SERVICE DISTRICT, a Utah special service district; WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT, a Utah special service district; SOUTH UTAH VALLEY SOLID WASTE DISTRICT, a Utah special service district, CITY OF LOGAN, a Utah municipal corporation; WEBER COUNTY, a political subdivision of the state of Utah; and DOE DEFENDANTS, 1-10

Defendants.

SCHEDULING ORDER

Case No. 2:20-cv-00015-DBB-DBP

U.S. District Judge David B. Barlow
Magistrate Judge Dustin B. Pead

NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY, a Utah interlocal entity,

<p>Counterclaim Plaintiff,</p> <p>vs.</p> <p>WRH BAYVIEW, LLC, a Delaware limited liability company; and WRH ASSOCIATES, LLC, a Delaware limited liability company,</p> <p>Counterclaim Defendants.</p>
<p>NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY, a Utah interlocal entity,</p> <p>Third-Party Plaintiff,</p> <p>vs.</p> <p>W.R. HENDERSON CONSTRUCTION, INC., an Idaho corporation,</p> <p>Third-Party Defendant</p>

Pursuant to Fed. R. Civ. P. 16(b), the Court received the Attorney Planning Meeting Report filed by counsel. The following matters are scheduled. The times and deadlines set forth herein may not be modified without the approval of the Court and on a showing of good cause pursuant to Fed. R. Civ. P. 6.

1.	PRELIMINARY MATTERS	DATE
a.	Date the Rule 26(f)(1) conference was held?	<u>05/15/20</u>
b.	Have the parties submitted the Attorney Planning Meeting Report?	<u>06/15/20</u>
c.	Deadline for 26(a)(1) initial disclosures?	<u>06/19/20</u>
2.	DISCOVERY LIMITATIONS	NUMBER
a.	Maximum number of depositions by Plaintiff(s):	<u>15</u>
b.	Maximum number of depositions by Defendant(s):	<u>15</u>

c.	Maximum number of hours for each deposition (unless extended by agreement of parties):	<u>7</u>
d.	Maximum interrogatories by any party to any party:	<u>25</u>
e.	Maximum requests for admissions by any party to any party:	<u>25</u>
f.	Maximum requests for production by any party to any party:	<u>25</u>
g.	The parties have agreed that the production of electronically stored information shall be governed by the standards of Fed. R. Civ. P 34(b)(2)(E).	
h.	The parties have agreed to be governed by the form of the Standard Protective Order adopted by DUCivR 26-2(a).	
i.	Last day to serve written discovery:	<u>12/11/20</u>
j.	Close of fact discovery:	<u>01/11/21</u>
k.	Final date for supplementation of disclosures and discovery under Rule 26(e):	<u>12/11/20</u>
3.	AMENDMENT OF PLEADINGS/ADDING PARTIES¹	DATE
a.	Last day to file Motion to Amend Pleadings:	<u>11/09/20</u>
b.	Last day to file Motion to Add Parties:	<u>09/09/20</u>
4.	RULE 26(a)(2) EXPERT DISCLOSURES & REPORTS	DATE
	Disclosures (subject and identity of experts)	
a.	Parties bearing burden of proof:	<u>01/25/21</u>
b.	Counter disclosures:	<u>02/14/21</u>
	Reports	
a.	Parties bearing burden of proof:	<u>03/08/21</u>


¹ Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

b.	Counter reports:	<u>04/08/21</u>
5.	OTHER DEADLINES	DATE
a.	Last day for expert discovery:	<u>05/08/21</u>
b.	Deadline for filing dispositive or potentially dispositive motions:	<u>06/08/21</u>
c.	Deadline for filing partial or complete motions to exclude expert testimony:	<u>06/21/21</u>
	A. If the parties do not intend to file dispositive or potentially dispositive motions, a scheduling conference will be held for purposes of setting a trial date:	<u>06/16/21 at 2:45 p.m.</u>
	B. After the court issues an order on the summary judgment motion(s), if there is anything left to litigate, the court will set a scheduling hearing to set a trial date and to ask the parties if they want to mediate. If the schedule set forth herein is not extended, the parties can generally expect that trial will be set sometime during the 1st quarter of 2022.	
6.	SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION	DATE
a.	Likely to request referral to a magistrate judge for settlement conference:	<u>No</u>
b.	Likely to request referral to court-annexed arbitration:	<u>No</u>
c.	Likely to request referral to court-annexed mediation:	<u>No</u>
d.	Date for completion of private mediation/arbitration:	<u>06/30/21</u>
e.	Evaluate case for settlement/ADR on:	<u>02/15/21</u>
f.	Settlement probability:	<u>Fair</u>



Signed June 16, 2020.

BY THE COURT:



U.S. Magistrate Judge Dustin B. Ped